



RECEIVED

JUN 06 2001

BOX SEQUENCE
TECH CENTER 1600/2900
1781-0178P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Jeak Ling DING et al. Conf.: 2336
Appl. No.: 09/426,776 Group: 1645
Filed: October 26, 1999 Examiner: J. HINES
For: ISOLATED NUCLEIC ACIDS ENCODING A SECRETORY
SIGNAL FOR EXPRESSION AND SECRETION OF
HETEROLOGOUS RECOMBINANT PROTEINS

L E T T E R

Assistant Commissioner for Patents
Washington, DC 20231

June 4, 2001

Sir:

In reference to a communication mailed by Examiner Hines on May 4, 2001, the Applicant hereby states that no response is necessary. A copy of the communication is enclosed herewith. The communication indicated that the Sequence Listing submitted by the Applicant did not comply with the requirements of 37 CFR 1.821 - 1.825, however a Notice to Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures was not enclosed with the communication. Additionally, in voice mails received from Mark Spencer of the USPTO's Science and Technology Information Center (STIC) on May 24, 2001 and from Examiner Hines on May 25, 2001, both stated that the Sequence Listing submitted by the Applicant on January 22, 2001 is without error. Therefore no new Sequence Listing is required to be submitted by the Applicant.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Rick Gallagher (Reg. 28,781) at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By *Richard Gallagher* 28,781
for Gerald M. Murphy, Jr., #28,977

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

GMM/DRN/RG/CAV
1781-0178P

Enclosure As Noted

(Rev. 01/22/01)



UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER OF PATENT AND TRADEMARKS
Washington, D.C. 20231

RECEIVED

JUN 06 2001

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	TECH CENTER
09/426,776	10/26/99	DING	1600/2900

HM12/2504
BIRCH STEWART KOLASCH & BIRCH LLP
P O BOX 747
FALLS CHURCH VA 22040-0747

EXAMINER

HINES, J

ART UNIT	PAPER NUMBER
----------	--------------

1545

10

DATE MAILED: 05/04/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trad marks

**RECEIVED**

UNITED STATES DEPARTMENT OF COMMERCE
Patent & Trademark Office
COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

TECH CENTER 1600/2900

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/426,776	10/26/99	Ding et al.	1781-178P

DOCKETED

Sequencing
6-4-01

EXAMINER	
J. Hines	
ART UNIT	PAPER NUMBER
1645	10

DATE MAILED:

Please find below a communication from the **EXAMINER** in charge of this application

Commissioner of Patents

1. This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CAR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CAR 1.821 through 1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

2. Applicant is given **ONE MONTH**, or **THIRTY DAYS**, whichever is longer, from the mailing date of this letter within which to comply with the sequence rules, 37 CAR 1.821 - 1.825. Failure to comply with these requirements will result in **ABANDONMENT** of the application under 37 CAR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CAR 1.136(a). In no case may an applicant extend the period for reply beyond the **SIX MONTH** statutory period. Direct the reply to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the reply.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ja-Na Hines whose telephone number is (703) 305-0487. The examiner can normally be reached on Monday-Thursday from 7:30-5:00 pm (Eastern Time) and 7:30-4:00 PM every other Friday.

An inquiry of a general nature or relating to the status of the application should be directed to the group receptionist whose telephone number is (703)308-0196.

J. Graser 5/5/01
JENNIFER E. GRASER
PRIMARY EXAMINER